FOR MYSORE STATE

Fūka Development (1950) Department

Ms SERIES.

G.O. NO. 527

Dated 15. 6.50

[Despatch Abstract.]

Rules - H R.E. Board's Service Rules
Simplification on a par with the Madras Ministerial
Service Rules - Proposal deferred Papers recorded.

copy to Mysore govt.

Copy of Letter No.22829/47-14-Estt., dated 15th May, 1950 from the President, Hindu Relgious Endowments Board, Madras to the Secretary to the Government of Madras, Pirka Development Department, Fort St. George, M a d r a s.

Sub:- Hindu Religious Endowments Board - Establishment - Board's service rules - Proposals - Examination - Report submitted.
Ref:-Government Memorandum No.4897-F.D. (V)/48-1., dated 30-11-1948.

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As suggested in the Government memcrandum cited, the Hindu Religious Endowments Board's service rules were compared with the Madras Ministerial Service Rules applicable to Government Servants with a view to a simplification of the Board's service rules on the lines of the Madras Ministerial Service Rules. The matter came up finally for decision at the meeting of the Board held on 9-5-1950 and it was decided that the Board's service rules can be simplified by retaining such of the rules as relate to the qualifications and recruitment of the officers and servants of the Board and making applicable by a suitable amendment of rule 57(1) of the Board's service rules, the general rules applicable to Government servants of similar standing and status in the subordinate services and the Madras Civil Services (Classification Control and Appeal) rules contained in Vol. I (part I and II) of the Madras Services Manual. In consequence of the proposed amendments, the existing rules which are repetition of the general rules governing the subordinate services, have been deleted. A statement is appended (encl: 1) of the existing rules which are (1)to be retained; (2) to be deleted (3) to be amended and (4) of the rules to be newly added. A consolidated set of rules to be adopted in the place of the existing rules as a result of the proposed alterations and additions is also enclosed (Encl: 2).

The Government may be pleased to consder the prpposed amendments and pass necessary orders.

Yours faithfully,

Sd. x x
president.

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SUPERINTENDENT.

Statement showing the Board's service rules to be retained, delected

modified etc.

I. Rules to be retained:	Section 17(a)(2).
	Section 71(2)(a),(f) and (h).
	54,55,56,57(2)(3) and (4),59(a) and (c),
	60(c) and (g) and (j) (k) (l)(m) (as
	suggested to the Government).
	61,63(d), 65, 66, 67(1) to (7), (9),
	68, 69, 70, 71, 72, 73, 74, 75, 76, 77,
	78, 79, 80, 89(2) to (6).
II. Rules to be deleted:	Section 71(2), 17(a) (3)(4)(a)(3) and (h).
	58(a) to (g), 62, 63(a) (b)(c) and 64.
III. Rules to be amended.	57(1), 59(b), 60(a)(b) (d) to (f)(h),
	67(8), 89(1).
IV. Rules to be newly added.	Section 17(a), (3) and (4).
	57(5), 73(A).

A consolidated set of rules to be adopted in the place of existing rules.

Amendments to G.O.No.2934 L & M. dated 10-7-1926 in the matter of Board's Service Rules.

Section 17(a).

Rule 2. Retain.

Rule 3. "The following penalities may, for good and sufficient reason and as hereinafter provided, be imposed upon the officers and servants of the Board by the president.

(i) Censure.

(ii) Fine.

(iii) withholding of increments or promotion.

(iv) Reduction to a lower rank in the seniority list or to a lower post or time-scale or to a lower stage in the time scale.

(v) Recovery from pay of the whole or part of any pecuniary loss caused to the Board by negligence or breach of orders.

(vi) Compulsory retirement before completion of 25 years of qualifying service hereinafter referred to as compulsory retirement.

(vii) Removal from Board's service.

(viii) Dismissal from Board's service.

Rule 4. Every Officer or servant of the Board shall have a right of appeal to the Government and further appeal to the Chief Minister against any order of the President imposing on him any of the penalties aforesaid.

Section 71(2)(a)(f) and (h).

54 to 56. Retain.

57(1) Save as otherwise provided in the Act, in these rules or in any other rules in force for the time being, the conditions of service of all officers and servants of the Board shall be the same as those prescribed for Government servants of similar standing and status in (a) the fundamental rules and the subsidiary reules thereunder; (b) the Madras Provincial and Subordinate services Rules; (c) the Madras Civil Services (classification, control and Appeal) Rules, contained in Vol. I parts I & III of the Madras Services Manual and (d) the Civil Service Regulations the Supplemental rules made by the Government under the Civil Services (classification, control and Appeal) rules relating to pension and Gratuity as for the time being in force, the Madras Compassionate Gratuity Rules. 1932, the Madras compassionate Gratuities (

(Non-pensionableEstablishment) Rules, 1941, and the Madras Retireing and Invalid Gratuties (Non-pensionable Establishment) Rules 1941.

(2) to (4) Retain.

(5). (a) Every officer servant of the Board in service on the date of the coming into force of this rule, shall be eligible for pension and gratuity from the date of his first entertainment in Board's service, as if the said Civil Service Regulations and the rules applied to him on such date of entertainment.

(b)Notwithstanding the provisions of sub-rule (a) every officer or servant of the Board in service on the coming into force of this rule shall have the option to continue to have the benefit of the contributory Provident Fund scheme instituted in G.O.No.499 P.H. dated 11th February 1942, instead of the benefit of sub-rule (a).

(c) Notwithstanding the provision of sub-rule (a), every officer or servant of the Board who has retired and is living on the date of coming into operation of this rule and who has put in qualifying service for pesnion shall have the option to elect for pension or Provident Fund and Gratuity.

(d) Any officer or servant not electing for contributory Provident Fund under sub-rule (b) of this rule shall not be entitled to the Board's contribution in the existing contributory provident Fund scheme, but may continue to subscribe to a non-contributory provident Fund which will be regulated by rules governing the non-contributory Provident Fund applicable to Government servants, on the basis of their having become applicable to the non-contributory Provident Fund from the date of his original subscription.

(e) Any officer or servant of the Board electing for the existing contributory Provident Fund shall, in respect of his service before the date of the institution of the contributory provident Fund scheme aforesaid, be eligible to gratuity or compassionate gratuity, as the case may be, at the rates provided for under the Civil Service Regulations and the rules referred to in sub-rule (1)(d) relating to gratuity to compassionate gratuity.

(f) Any officer or servant of the Board who has retired from the Board's service and is living on the date of the coming into force of these rules and who has not put in qualifying service for pension shall

Regulations referred to in Sub-rule (1)(d) for the period of service of the officer or servant not covered by the contributory provident Fund Scheme.

(g) The family of any officer or servant of the Board who died before the date of the coming into force of these rules, while in service or after retirement from service shall in respect of the period of service of the officer or servant not covered by the contributory Provident Fund Scheme be eligible to compassionate gratuity at the rates prescribed in the Civil Service Regulations and the rules referred to in sub-rule (1)(d).

58 Delete.

59(a): Retain.

(b) The service shall be classified as follows:-

Class I.	Category 1.	Secretary.
	Category 2.	Deputy Secretary.
Class II.	Category 1.	Senior Superintendents.
	Category 2.	Junior Superintendents.
Class III.	Category 1.	1 Upper Division Clerks and Inspectors.
	Category 2.	2 Lower Division Clerks and Inspectors.
Class IV.	Category 1.	Attenders.
	Category 2.	Peons.

59(c): Retain.

60(a): "Appointment to the post of Secretary shall be made either by promotion of the Deputy Secretary or from among the Senior Superintendents or by transfer from among the Asst. Commissioners or by obtaining the loan of services of a Government Servant and it shall require the previous approval of the Government. Promotion shall be made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal.

60(b): Appointment to the post of Deputy Secretary shall be made by selection from among the senior superintendents or by transfer from among the Asst. Commissioners on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal. (as suggested to the Government in my letter No.2770/50-1 Est. dated 28-3-50)

(c) Retain.

(d) Appointments to the posts of Junior Superintendents shall be made by promotion from Upper division Clerks and Inspectors provided that one post of Junior Superintendent may be filled by direct recruitment. Such promotion shall be made on grounds of merit and ability seniority being considered only where merit and ability are approximately equal.

No person shall be eligible for appointment as Junior Superintendent by direct recruitment unless (i) he possesses the B.L.Degree of the University of Madras or has special experience of accounts and finance, and

(ii) his age does not exceed 30 years.

(e) Appointments to the grade of Upper Division Clerks and Inspectors shall be by promotion from Lower Division Clerks and Inspectors. Such promotion shall be regulated as follows:-

(1) Graduates shall be preferred until they form not more than 50% of the strength of Upper Division.

(2) promotions whether of graduates or others shall be made on grounds of merit and ability, seniority being considered only where merit and ability are approximately equal.

(3) In case no person in the Lower Division is considered to be fit for promotion to the Upper Division the vacancy may be filled by direct recruitment of a graduate even though the number of graduates in the Upper Division may thereby exceed 50% of its total strength.

(f) No person shall be eligible for appointment as a Lower Division Clerk or Inspector, unless he possesses the minimum general educational qualification prescribed for clerks in Government Service.

(g) Retain.

(h) No person shall be eligible for appointment to service by direct recruitment unless he has not attained the age 25 years;

provided that the age limit shall not exceed 35 years in the case of Senior Superintendents directly recruited undersub-rule (c) and shall not exceed 30 years in the case of Junior Superintendents and Upper Division Clerks and Inspectors directly recruited under sub rules (d) and (e).

(i) Unqualified and non-exempted persons in the service of the Board prior to the 1st January 1942 designated as clerks and in service on the 30th June 1944 and the unqualified and non-exempted members of the staff of the abolished Committees who have been absorbed in the Board's

service with effect from the 7th March 1944 and designated as clerks shall be exempted from possessing the prescribed educational qualifications.

A person exempted from possessing the prescribed educational qualifications and classified as III Division Clerk on the 1st December 1940 or a person working on the 30th June 1944 as in the III Division and exempted under this sub-rule or an exempted member of the staff of the temple committees who has been absorbed in Board's service with effect from 7th March 1944 and classified as II Division Clerk shall under no circumstances be promoted to any higher post.

A person exempted from possessing the prescribed educational qualifications and classified as II Division clerk or Inspector on the 1st December 1940 may be specially exempted by the Board so as to make him eligible for promotion as Upper Division Clerk or Inspector, but he shall under no circumstances be promoted to any higher post.

(j) Retain.

(k) Where an unqualified person in the service of the Board who was appointed before the 30th June 1945 obtains the education al qualifications prescribed in sub-rule (f) before the 1st July 1951, he may in respect of the period during which he was unqualified, be exempted by the Government from possessing the prescribed qualifications.

The services of an unqualified person who does not qualify himself before the 1st July 1951 shall be terminated with effect on and from the 1st July 1951.

(l) Except as provided in Sub rules (h)(i)(j) and (k) no exemption shall be granted to any person from the age limits or educational qualifications specified in these rules.

(m) Not withstanding anything to the contrary contained in this rule, unqualified and exempted persons in the service of the Board shall be eligible for promotion to higher posts (upto and inclusive of the posts of Junior Superintendents) provided they secure the percentage of marks specified below in the educational test of S.S.L.C. standard held by the Madras Public Service Commission every year.

Subject for the Examination.	Minimum percentage of marks.	
	Muslims, Backward classes, Harijans & converts to Christianity from Harijans who were enjoying school fee concession under the Madras Educational Rules.	other communities.
English Composition	35	40
Language Translation and Composition	35	40
General Knowledge	35	35
Precis writing	35	35

61. Retain.

62. Delete.

63(a) (b) and (C). Delete.

63(d) Retain and number as 63.

64. Delete.

65. Retain.

66. Retain.

67(1) to (7) Retain.

67 (8) Notwithstanding anything contained in these rules, no person shall be confirmed as Upper Division Clerk or Upper Division Inspector unless he has passed.

(a) the language test (Second Grade) conducted by the Madras Public Service Commission in a language other than his mother-tongue;

(b) the subordinate Test in Accounts conducted by the Madras Public Service Commission;

(c) a test in the Madras Hindu Religious Endowments Act, 1926 and the rules and bylaws framed thereunder conducted by the Board.

provided that this sub-rule shall notapply to a person who was confirmed prior to the date on which these amendments take effect.

67(9) Retain.

68. Retain.

69 Retain.

70. Retain.

71 Retain.

72. Retain.

73 (A) The office of the H.R.E.Board will be classified as "A" class office and the new scales of pay sanctioned in G.O.Ms.No.80 F.D. dated 16-12-1947 shall take effect from 1-1-1947 provided that the existing incumbents in cadres of Deputy Secretary, Senior Superintendents and Upper Division Clerks and Inspectors in service as on 31-12-46, may elect to retain their scales of pay in force on 31-12-46, on the analogy of Fundamental rule 23 and rule 10(1) of the Madras Revised Scale of pay Rules, 1947.

74. Retain.

75. Retain.

76. to 80. Retain.

89 (1) Notwithstanding anything contained in these rules fifty percent of all substantive vacancies arising in the cadre of Upper and Lower Division Clerks and Inspectors after the 1st October 1944 which should under these rules be filled by direct recruitment shall be reserved to be filled by the appointment of persons who have rendered War service.

Explanation (a) to (g) to Rule 89 (1): Retain.

89(2) to (6): Retain.

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SUPERINTENDENT.

FIRKA DEVELOPMENT DEPARTMENT

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Memorandum No. 29885 F.D.(V)/50-1, dated the 3rd July 1950.

Sub:- Rules - Hindu Religious Endowments Board's Service Rules - Amendment - Proposal.

Ref:- From the President, Hindu Religious Endowments Board, letter No.22829/47-14 Estt. dated 15-5-50.

The Government consider that the question of simplifying the Board's Services Rules on a par with the general rules relating to the Madras Provincial and Subordinate Services and the Special Rules for the Madras Ministerial Service, be deferred till the enactment of the Hindu Religious and Charitable Endowments Bill, 1949.

2. The Government observe that there is no provision in the existing Board's Service Rules requiring a 'show cause notice' to be issued to a probationer in the Board's Service before his probation is terminated. Pending the simplification of the Board's service Rules, they consider that a similar provision, as the one contained in Rule 23(c) of the General Rules (Part II), relating to the Madras Provincial and Subordinate Services is necessary and should be made in the Board's Services Rules. The President Hindur Religious Endowments Board is

P.T.O.

accordingly requested to suggest a suitable amendment to the rules.

L.Bakthavatsalu,
Assistant Secretary to Government.

To
The President, Hindu Religious Endowments Board, Madras.

/True Copy/

hch.14/6.

SUPERINTENDENT.

no. 4897/48

Firka Development Department(v).

From the president, H.R.E.Board, letter No.22829/47-14 Estt. dated 15-5-50.

H.R.E.BOARD - SERVICE RULES & SIMPLIFICATION.

In Government Memo No.4897/48 dated 30-11-1948, the president, H.R.E.Board has been asked to compare the Board's Service rules with the Madras Ministerial Service rules applicable to the Government servants and to suggest simplification of the Board's service Rules on the lines of the Madras Ministerial Service Rules. The president, has compared the Board's Service rules with the Madras Ministerial Service Rules and has now suggested amendments to the Board's Service Rules. please see the letter from the president on pp. 13-24 c.f.

It may be mentioned in this connection that the H.R. & C.E. Bill, 1949, which aims at the provincialization of the Board will be coming up shortly before the Legislature and may be expected to be passed into law by the end of this year (1950). After the Bill becomes an Act, the general rules applicable to Government servants will authomatically beapplied to the Board's servants also(then Government servants) Further, special rules covering the services of Commissioners, Deputy Commissioners, and Assistant Commissioners and also other Ministerial and executive staff will have to be framed. It seems too early to say in what shape the Bill will finally emerge out of the Legislature and what conditions of service (i.e. method of recruitment, qualifications etc.) will be considered suitable for the various categories of posts contemplated in the Bill. It is therefore for consideration whether it will be necessary now to examine the proposals submitted by the president, for the simplification of the Service Rules on a par with the Madras Ministerial Service rules. It may also be mentioned in this connection, that the Board's Service Rules, even at present, in broad outline, are similar to those applicable to Government servants - Vide statements on pp. 115-119 c.f. and notes on pp. 21-24 n.f. of G.O.No.296 F.D., dated 10-4-50 at flag (c). In the circumstances, it is for orders whether the pro-

they may be deferred till the enactment of the Bill.

This may lie over till the enactment of the Bill.

A thorough overhauling of the Rules ~~xiiik~~ will be necessary when the Bill is enacted into Law. This may lie over till then.

M.S.J.

13-6-50.

The papers may, for future reference, be Order/Ms.No.527 dated 15-6-50. Recorded.

G.O.Ms.No.527 dated 15-6-50.

Rules - H.R.E.Board's Service Rules - Simplification on a par with the Madras Ministerial Service Rules - proposal deferred - papers - recorded.

/True copy/

M.N. Sharma

SUPERINTENDENT.

hch.14/6.

Compared by
1. V. Ramadoss 15/6
2. T.R. Sarma.